

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

SPECIAL CIVIL APPLICATION No 6521 of 1997

For Approval and Signature:

Hon'ble MR.JUSTICE N.N.MATHUR

=====

1. Whether Reporters of Local Papers may be allowed to see the judgements?
2. To be referred to the Reporter or not?
3. Whether Their Lordships wish to see the fair copy of the judgement?
4. Whether this case involves a substantial question of law as to the interpretation of the Constitution of India, 1950 of any Order made thereunder?
5. Whether it is to be circulated to the Civil Judge?

MALINIBEN RAMESHCHANDRA THAKOR

Versus

SK NANDA I.A.S. OR HIS SUCCESSOR IN OFFICE

Appearance:

MR TUSHAR MEHTA for Petitioner

CORAM : MR.JUSTICE N.N.MATHUR

Date of decision: 26/09/97

ORAL JUDGEMENT

Rule. Mr Desai, learned AGP waives service of Rule on behalf of the respondents.

The petitioner was appointed on the post of Research Assistant in the office of respondent No.1-Commissioner, Scheduled Tribe Development. She was on probation. However, her services were terminated by order dated 24.7.1997 on the ground that the certificate

produced by her that she belongs to Scheduled Tribe is not correct. It is stated by the petitioner that there was some error in producing the record before the Mamlatdar and now she has made application to respondent No.1 for review and the said application is still pending.

2. Considering the facts of the case, ends of justice would be met if a direction is given to respondent No.1 to decide the petitioner's review application - Annexure 'M' within a period of two weeks from the date of receipt of the writ, if it is not yet decided. Ordered accordingly. Till the said review application is decided, the respondents will not fill up the post of Research Assistant i.e. the post which the petitioner was holding. In case the review application is decided in favour of the petitioner, appropriate steps would be taken for withdrawal of the order of termination with all consequential benefits.

Rule made absolute to the aforesaid extent.

...
msp.